

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

OLLIE GREENE, *et al.*,

Plaintiffs

v.

TOYOTA MOTOR CORPORATION, *et al.*,

Defendants.

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CAUSE NUMBER: 3:11-cv-0207-N

THE TOYOTA DEFENDANTS' PROPOSED VOIR DIRE QUESTIONS

Defendants Toyota Motor Corporation, Toyota Motor Engineering & Manufacturing North America, Inc., and Toyota Motor Sales, U.S.A., Inc.'s (collectively the "Toyota Defendants") file this their Proposed Voir Dire Questions.

The Toyota Defendants respectfully request that the Court ask, or that their counsel be permitted to ask, the following questions during examination of the jury panel:

1. Did you know Wyndell Greene, Sr., Lakeysa Greene, Wyndell Greene II, and/or Wesleigh Greene?
 - a) If so, how did you know them?
2. Do you know William "Bill" Greene, Ollie Greene, and/or Marilyn Hardeman?
 - a) If so, how do you know one or more of them?
3. Do you know Aubrey "Nick" Pittman, Kristin Kay Schroeder, Daryl K. Washington, Andrea Clark, or anyone else associated with The Pittman Law Firm, P.C. or The Law Offices of Daryl K. Washington, P.C.; Randy Howry, John Carlson, Glen Wilkerson, Jena Tyree or anyone else associated with Howry Breen & Herman, LLP; S. Todd Parks, Ashley De La Cerda, Jennifer French, Donald H. Dawson, Jr., Kathleen A. Clark or anyone else associated with Walters, Balido & Crain or Dawson & Clark, P.C.; Michael P. Sharp, Scott W. Self, Lisa Hamm or anyone else associated with Fee, Smith, Sharp & Vitullo, LLP; John S. Kenefick, Joseph F. Henderson, Julie Ritch or anyone else associated with Macdonald Devin, P.C.?
 - a) If so, how do you know one or more of them?

4. This is a personal injury case where Plaintiffs have brought suit against Toyota and other defendants. The burden of proof is on the Plaintiffs in this case to prove something is defective about the vehicle and that the alleged defect caused harm to the Plaintiffs. Would you have difficulty in holding Plaintiffs to the burden of proof in this case?
5. Do you believe the burden of proof should be placed on the Defendants to prove the vehicle was not defective?
6. Can you wait until you hear all of the evidence from Plaintiffs and Defendants before making up your mind?
7. Have you or someone you know suffered an injury in a car accident that may have been caused in whole or part by an alleged problem with the vehicle?
 - a) If so, who and how do you know them?
 - b) What were the facts and circumstances of the incident?
8. Have you had a parent, child or loved one severely injured or killed in a car accident?
 - a) If so, who?
 - b) What were the facts and circumstances of the incident?
 - c) Do you believe the manufacturer of the vehicle was in any way responsible for the injuries or deaths?
9. Do you have a close friend who has been severely injured or killed in a car accident?
 - a) If so, who and how do you know them?
 - b) What were the facts and circumstances of the incident?
 - c) Do you believe the manufacturer of the vehicle was in any way responsible for the injuries or deaths?
10. Have you had a parent, child or loved one severely injured or killed in any sort of accident?
 - a) If so, who?
 - b) What were the facts and circumstances of the incident?
 - c) Do you believe the manufacturer of a product that was involved in the accident, if any, is in any way responsible for the injuries or deaths?
11. Have you ever had a problem with a Toyota, Lexus or Scion motor vehicle?
 - a) If so, what were the facts and circumstances of the incident/problem?

12. Have you or anyone you know ever lodged a complaint to Toyota or a dealership about a Toyota, Lexus or Scion motor vehicle?
 - a) If so, what were the facts and circumstances of the complaint?
13. Have you or anyone you know ever lodged a complaint to a governmental entity about a Toyota, Lexus or Scion motor vehicle or a Toyota dealership?
 - a) If so, what were the facts and circumstances of the complaint
14. Have you or anyone you know ever had a negative experience with Toyota or a Toyota dealership?
 - a) If so, what were the facts and circumstances of the incident?
15. Have you ever sued a Toyota corporate entity or dealership?
 - a) If so, what were the facts and circumstances of the lawsuit?
16. Have you ever owned a car you believe was defective?
 - a) If so, what vehicle was it?
 - b) What do you believe was defective about the vehicle?
17. Have you ever sued any automobile manufacturer?
 - a) If so, what were the facts and circumstances of the lawsuit?
18. Have you ever sued a product manufacturer?
 - a) If so, what were the facts and circumstances of the lawsuit?
19. Have you ever filed or been a plaintiff in any lawsuit?
 - a) If so, what were the facts and circumstances of the lawsuit?
20. Have you ever been sued?
 - a) If so, what were the facts and circumstances of the lawsuit?
21. Do you consider yourself to be politically liberal or socially liberal?
 - a) If so, which one?
22. Do you believe there are too few lawsuits?
23. Do you believe that juries often award too little money to plaintiffs for damages like pain, suffering, and mental anguish that are not easy to quantify?

24. Do you believe tort reform in Texas has gone too far to protect big corporations?
25. Do you believe that large corporations make excessive profits and should be made to share with ordinary people through lawsuit awards?
26. Do you believe that corporations often take advantage of individuals?
27. Do you believe that if a case makes it to trial it must have merit?
28. Do you believe that if something has been reported in the news it is almost certainly true?
29. Did you ever observe any media coverage of the accident in question?
30. Do you have any personal knowledge regarding the accident in question?
31. Have you observed any media coverage related to Toyota motor vehicles in the past five years?
 - a) If so, please approach the Court and advise the Court of what you are aware of.
32. Do you believe that circumstances affect people more than people affect their circumstances?
33. Do you have training or experience in automotive engineering, mechanical engineering, biomechanics, occupant kinematics, or accident reconstruction?
 - a) If so, what is the nature and extent of your training or experience?
34. Do you have experience or training as a medical doctor, nurse, or other medical professional?
 - a) If so, what is the nature and extent of your training or experience?
35. Do you believe that if injuries sometimes occur when using a product that the product must be unreasonably dangerous?
36. Do you believe that most cars are not as safe as they should be?
37. Do you believe automobile manufacturers can design their cars so that occupants will never be seriously injured, no matter how severe the accident?
38. Do you believe that a car must protect everyone from injury in all accidents?
39. Do you have any bias or prejudice against Japan or any Japanese entities?

WHEREFORE, PREMISES CONSIDERED, the Toyota Defendants respectfully request that the Court ask the preceding questions during its examination of the jury panel, and for such other further relief to which Toyota Defendants may show themselves to be justly entitled.

Respectfully submitted,

/s/ Kurt C. Kern

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**ATTORNEYS FOR DEFENDANTS
TOYOTA MOTOR CORPORATION,
TOYOTA MOTOR ENGINEERING &
MANUFACTURING NORTH AMERICA,
INC., AND TOYOTA MOTOR SALES,
U.S.A., INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all known counsel of record in this cause in accordance with the Federal Rules of Civil Procedure on this 23rd day of May, 2014.

/s/ Kurt C. Kern

Kurt C. Kern